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SUBJECT: MONTENEGRO: PARLIAMENT PASSES LAW ON ADOPTION OF  
NEW CONSTITUTION

This is an Embassy Podgorica cable. It has not been  
cleared with Embassy Belgrade.

¶1. (U) On October 26, the Parliament of Montenegro passed the law specifying the procedure by which the new Constitution will be adopted. The new constitution will first be put to a vote in parliament. If two-thirds of the MPs (54 of 81) vote affirmatively, the Constitution is adopted without need for further action. If between half and two-thirds of the MPs vote for the draft, a public referendum will be required. Post sought to confirm the parameters for a possible referendum with Parliamentary authorities, who were unable to state specifics as to required voter turn-out, or the percentage of valid votes needed for adoption. No deadline for adoption of the new Constitution has been specified.

¶2. (U) The law does specify that the Parliament will form a sixteen member board that will be formally charged with drafting the constitution. (Note: Several competing drafts will likely be introduced, from the government and from opposition parties. End note.) The Board, to be headed by Speaker Ranko Krivkovic, will have a party composition reflective of the parliament as a whole.

¶3. (U) The law was adopted with 44 votes in favor (41 from the ruling coalition). The opposition, objecting that certain procedural matters had not been settled in advance of considering the draft law, walked out before the vote. However, the opposition's public statements before the October 26 session indicate general support for the law and its requirement of a two-third's vote to adopt the constitution. With the opposition divided, on constitutional specifics (especially on whether to include national languages and religions) and other issues, the government is likely hoping to get the votes of at least 54 members and avoid having to call a referendum (and thus avoid addressing the question of under what rules the referendum would be conducted).

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